

2002-57-EC

Patricia Tarmann
 1291 White Horse Rd Ext
 Travelers Rest SC 29690
 Duke Energy Account number 1190624

August 24, 2009

Dear Ms Yarbrough,

I am in receipt of a letter dated, August 21, 2009, advising me that my electric meter is no longer sending a signal to the offsite meter reading device, necessitating repair or replacement of this unit to continue to receive and be billed for electric power.

I am the principal on this account and **I do give Duke Energy, and/or their representative, permission to enter my property to make the appropriate repairs** so that I may continue to receive electric power. I am available to supervise this visit with a 4 hour notice, with the exception of Thursday, August 27, 2009 between 8 am and 2 pm.

I would also like to take this opportunity to comment on some of the other content within the letter referred to above.

As correctly stated, my husband presented Duke Energy with a letter of intent to file a Trespass Notice back in November of 2004. This was prompted by some visits that were made to our property, in response to Docket No. 2002-57-EC and subsequent ORS investigations. Although I understand his concern with the liability associated with having individuals on our property, unsupervised, I was not a party to that act and I can confirm that the Trespass Notice was never filed with the Greenville County Sheriff's Office. Therefore, I cannot ask him to revoke that, which does not exist.

It is unfortunate that the legal staffs of Duke Energy, BellSouth, the PSC and the ORS failed to verify the filing of the Trespass Notice, but I guess the belief that it existed did serve one purpose, it prevented unauthorized access to our property. This, after all, was my husband's intent and as stated in the letter that accompanied the Trespass Notice, **"I will not tolerate trespassing on my property without my explicit consent and presence"**. To the best of my knowledge, no one was forbidden from entering the property, formally or informally, he just asked that no one enter the premises without his knowledge. Although Duke Energy may consider Docket No. 2002-57-EC normal daily business, I consider the inability to enter my property, due to a lack of maintenance, outside the norm thus, requiring notice. Unfortunately, our relationship will most likely remain, out of the norm, until the facilities have been repaired as ordered by the PSC.

I would also like to take this opportunity to express my sincere thank you for the Ten Day Notice. I appreciate being made aware of the issue in advance, and being given the opportunity to observe the repair/replacement of my meter. I know that my payment records have been pulled, in response to a complaint made by my husband, (Without my

RECEIVED
 2009 AUG 26 9:16
 SC ELECTRIC SERVICE
 GREENVILLE

consent of course.) and you can see that I take my responsibilities seriously and have never failed to make a timely payment for the electric power that I receive. I agree that repair/replacement of the meter is absolutely necessary and should be done as soon as possible so that Duke Energy can continue to be paid for the energy they provide.

I have enclosed 4 pictures taken on August 23, 2009. As you may recall, I offered to do this when members of the ORS staff and Duke Energy representatives visited the property back in October of 2004, but I was asked not to do by Duke Energy and BellSouth attorneys at that time. As you can see ignoring the issue has not improved the condition of the easement to my property. The depth was measured at two locations on the easement, one depth was about 13 inches and the other about 16 inches. There are several days per month that I have to access my property on foot or with the help of a four wheel drive vehicle because the shallow depth of these wires prohibits us and the owners of the properties from doing any routine maintenance without the real possibility of damage to Duke Energy lines.

In closing, in light of some insight I have offered, I would expect that we can schedule repairs on the other facilities in the near future. It would appear to me that the lack of a Trespass Notice negates Duke Energy's stance that they are unable to make repairs to the facilities because of the Trespass Notice. Again, I can make myself available, on short notice, with some exceptions, at Duke Energy's convenience.

Sincerely,



Patricia Tarmann
864-363-7580

Cc; Charles Terrini Chief Clerk of the Commission
Florence Belser General Counsel Office of Regulatory Staff







ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.
COLUMBIA, SOUTH CAROLINA

August 21, 2009

VIA FEDERAL EXPRESS AND U.S. MAIL

Mrs. Patricia Tarmann
Mr. James Tarmann
1291 White Horse Road Ext.
Travelers Rest, South Carolina 29690

**Re: DUKE ENERGY CAROLINAS NOTICE OF TERMINATION OF YOUR
ELECTRIC SERVICE**

Dear Mr. and Mrs. Tarmann:

You are hereby placed on notice that your electric service will be terminated in **TEN (10) DAYS FROM THE DATE OF THIS NOTICE**. The meter on your property is no longer sending a signal to the offsite meter reading device. Since you have prohibited Duke Energy Carolinas from entering on your property, the company cannot remove and replace the meter in order to bill for electric service.

If you decide to revoke the Trespass Notice and grant Duke Energy Carolinas' employees permission to access to repair or replace the meter, you must contact the Duke Energy Carolina representative **below prior to the expiration of the TEN DAY NOTICE PERIOD**:

**Barbara G. Yarbrough
Duke Energy Carolinas
Mail Code EC060
PO Box 1006, Charlotte, NC 28201-1006
Telephone: 704-382-7412**

Enclosed is a Notice of Termination of Electric Service being filed with the Public Service Commission of South Carolina and the Office of Regulatory Staff.

Bonnie D. Shealy

1901 MAIN STREET, SUITE 1200

POST OFFICE BOX 944

COLUMBIA, SOUTH CAROLINA 29202

PH
(803) 779-8900 | (803) 227-1102 *direct*

FAX
(803) 252-0724 | (803) 744-1651 *direct*

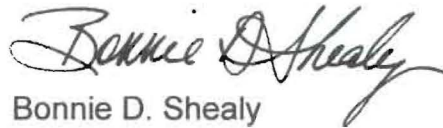
bshealy@robinsonlaw.com

RECEIVED
2009 AUG 26 AM 9:10
SC PUBLIC SERVICE
COMMISSION

Please be advised that if service is terminated and you request reconnection, an appropriate charge will be assessed.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.

A handwritten signature in black ink, appearing to read "Bonnie D. Shealy". The signature is fluid and cursive, with the first name "Bonnie" being more prominent.

Bonnie D. Shealy

/bds
Enclosure

cc/enc: Charles Terreni, PSC Chief Clerk/Administrator
Dan F. Arnett, ORS Chief of Staff
Nanette Edwards, ORS (via email)
Catherine E. Heigel, Associate General Counsel (via email)
Barbara Yarbrough (via email)



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.
COLUMBIA, SOUTH CAROLINA

August 21, 2009

VIA ELECTRONIC FILING

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Synergy Business Park, Saluda Building
101 Executive Center Drive
Columbia, SC 29210

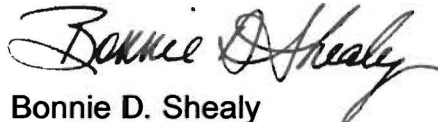
**Re: DUKE ENERGY CAROLINAS NOTICE OF TERMINATION OF
ELECTRIC SERVICE TO JAMES AND PATRICIA TARMANN
Docket No. 2002-57-EC**

Dear Mr. Terreni:

Enclosed for filing please find Duke Energy Carolinas, LLC's Notice of Termination of Electric Service to James and Patricia Tarmann and correspondence to the Tarmanns. We are providing copies of both to the Office of Regulatory Staff by copy of this letter.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.


Bonnie D. Shealy

lbds
Enclosure

celene: James and Patricia Tarmann (Federal Express & U.S. Mail)
Dan F. Arnett, ORS Chief of Staff
Nanette Edwards, ORS (via email)
Catherine E. Heigel, Associate General Counsel (via email)
Barbara Yarbrough (via email)

Bonnie D. Shealy
1901 MAIN STREET, SUITE 1200
POST OFFICE BOX 944
COLUMBIA, SOUTH CAROLINA 29202
PH
(803) 779-8900 | (803) 227-1102 *direct*
FAX
(803) 252-0724 | (803) 744-1551 *direct*
bshealy@robinsonlaw.com

RECEIVED
2009 AUG 26 PM 9:16
SC PUBLIC SERVICE
COMMISSION